

OFFICE OF THE UNITED STATES TRUSTEE

TIFFANY L. CARROLL

Acting United States Trustee

CURTIS CHING 3931

Assistant United States Trustee

NEIL VERBRUGGE 7478

Trial Attorney

300 Ala Moana Boulevard, Room 4108

Honolulu, Hawaii 96850

Telephone: (808) 522-8155

Email: ustpreion15.hi.ecf@usdoj.gov

Email: Neil.Verbrugge@usdoj.gov

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS
BANKRUPTCY DIVISION**

In re

IMPERIAL PACIFIC INTERNATIONAL
(CNMI), LLC,

Debtor and
Debtor-in-Possession.

Case No. 24-00002
(Chapter 11)

Hearing:
Date: December 13, 2024
Time: 9:00 a.m. (ChST)
Judge: Hon. Robert J. Faris

[Related Docket Entry: Dkt. #296]

**UNITED STATES TRUSTEE'S STATEMENT OF CONSENSUAL REDUCTION IN
FEES WITH REGARD FIRST INTERIM FEE APPLICATION OF ARENTFOX SCHIFF
LLP, GENERAL BANKRUPTCY COUNSEL TO THE OFFICIAL COMMITTEE OF
GENERAL UNSECURED CREDITORS, FOR ALLOWANCE OF COMPENSATION
AND REIMBURSEMENT OF EXPENSES FOR THE PERIOD FROM MAY 16, 2024
THROUGH SEPTEMBER 30, 2024**

The United States Trustee, by and through counsel, hereby submits this Statement of
Consensual Reduction in Fees ("Statement") with regard to the First Interim Fee Application of
ArentFox Schiff LLC, General Bankruptcy Counsel to the Official Committee of General
Unsecured Creditors for Allowance of Compensation and Reimbursement of Expenses for the

Period from May 16, 2024 through September 30, 2024 (“First Interim Fee Application”).

ArentFox Schiff LLC (“AFS”) seeks an award of compensation in the amount of \$376,828.80 (comprised of \$376,202.50 in fees and \$626.30 expenses). The United States Trustee has authority and standing to make this statement since its responsibilities include, among other things, supervising “the administration of cases ... under Chapter 11” of the Bankruptcy Code. 28 U.S.C. § 586(a)(3). Pursuant to 28 U.S.C. § 586(a)(3)(A), the United States Trustee has the duty and authority to file comments regarding fee applications.

In support, the United States Trustee respectfully represents as follows:

1. The fee applicant bears the burden of proof to show entitlement to the requested fees under 11 U.S.C. § 330. *See In re Eliapo*, 298 B.R. 392, 402 (B.A.P. 9th Cir. 2003), *rev’d in part on other grounds*, 468 F.3d 592 (9th Cir. 2006); *In re Ginji Corp.*, 117 B.R. 983, 990 (Bankr. D. Nev. 1990) (“[t]he applicant ... has the burden of proof to show the reasonableness of the fees sought”).

2. Interim fee awards are always subject to reexamination during a bankruptcy case. *See In re Strand*, 375 F.3d 854, 858 (9th Cir. 2004).

3. The United States Trustee has reached an agreement with the Applicant to resolve the United States Trustee’s concerns regarding Applicant’s First Interim Fee Application prior to the above-captioned hearing.

4. Applicant has consented to a voluntary reduction of \$11,507.00 in legal fees as follows:

Objection Basis	Hours	Fees
1. Fee Statements (mthly)	17.3	7,633.50
2. Administrative Tasks	5.7	1,913.50
3. Transitory Billing	2.8	1,960.00
TOTAL	25.80	11,507.00

1 5. Additionally, Applicant has agreed to file a pleading (stipulation or supplemental
2 declaration) that sets forth the time entries consensually reduced.

3
4 6. With this reduction of \$11,507 in fees, the United States Trustee does not oppose
5 the Applicant's First Interim Fee Application.

6 DATE: Honolulu, Hawaii, November 20, 2024.

7 Tiffany L. Carroll
8 Acting United States Trustee

9 By /s/ NEIL VERBRUGGE
10 Trial Attorney